

MAR. 12. 2008 7:19AM

NO. 5123 P. 1

**RECEIVED**  
**CENTRAL FAX CENTER**

**MAR 12 2008**

# FAX TRANSMISSION

**DATE:** March 11, 2008

**MESSAGE TO:** Examiner Joshua Campbell  
**COMPANY:** U.S. Patent and Trademark Office  
**FAX NUMBER:** (571) 273-4133 8300  
**PHONE:** (571) 272-4133  
**FROM:** Jonathan A. Jaech  
**PHONE:** (213) 787-2500

**PAGES (Including Cover Sheet):** 24 **HARD COPY TO FOLLOW:** ☐ YES ☒ NO

**MESSAGE:** Applicant Initiated Interview Request Form  
Our Reference: 70111-00015

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (213) 757-2500 and send the original transmission to us by return mail at the address below.

Connolly Bove Lodge & Hutz, LLP  
P. O. Box 2207  
Wilmington, Delaware 19899

MAR. 12. 2008 7:20AM

RECEIVED  
CENTRAL FAX CENTER  
MAR 12 2008

NO. 5123 P. 2

PROPOSED AGENDA FOR TELEPHONE INTERVIEW  
Scheduled For: March 12, 2008, 2 p.m. E.D.T.

FAX TO: Examiner Campbell, 571-273-8300

Applicants: BRIAN SHUSTER

Serial No.: 09/549,505

Filed: April 14, 2000

Title: METHOD AND APPARATUS FOR  
MAPPING A SITE ON A WIDE AREA  
NETWORK

Art Unit: 2178

Examiner: Joshua D. Campbell

1. Applicant requests that the finality of the last office action be withdrawn pursuant to M.P.E.P. 706.07(b). The Advisory Action mailed October 30, 2007 denied entry to applicant's last-filed amendments as requiring further consideration. Therefore, it is not proper to make the office action, which was the first action after filing of an RCE, final.
2. Applicant requests discussion of the factual assertion in the last office action (p. 8) that "Weinberg et al. discloses that hyperlinks referencing target pages and linked related pages are displayed, and upon selection of one of those hyperlinks a map is generated . . . including in-links and out-links and all map provided information." Applicant maintains that Weinberg fails to disclose "generating map information regarding the target pages and each set of linked related pages, the map information comprising the block of text, the reduced-size image, hyperlinks referencing the target pages, and a descriptor of selected pages from each set, for each of the plurality of target pages, configured such that, when the map information is displayed at a remote client as a map of a target page, a user can preview informational content of the target page and can select ones of the

20650\_1

Serial No. 09/549,505  
March 11, 2008  
Page 2

hyperlinks from the map of the target page to receive the map information for corresponding ones of the related pages" as defined by claim 15. Does the examiner agree that Weinberg discloses nothing more than maps showing in-links and out-links to nodes? If not, where does Weinberg disclose the additional claimed map information, and how does any such disclosure read on the claim features quoted above?

3. Regarding claim 51, applicant maintains that the same disclosure by Weinberg of the "Mercury Interactive" text cannot simultaneously read on both "block of text" in claim 50 and "identifier" in claim 51. Different claim terms ordinarily have different meanings if they are used in the same claim. See *Applied Med. Res. Corp. v. U.S. Surgical Corp.*, 448 F.3d 1324, 1333 n.3 (Fed. Cir. 2006) ("[T]he use of two terms in a claim requires that they connote different meanings . . ."); *CAE Screenplates Inc. v. Heinrich Fiedler GmbH & Co. KG*, 224 F.3d 1308, 1317 (Fed Cir. 2000) ("In the absence of any evidence to the contrary, we must presume that the use of these different terms in the claims connote different meanings."). This is because "claims are to be construed to 'preserve the patent's internal coherence.'" *Applied Med. Res. Corp.*, 448 F.3d at 1333 n. 3 (quoting *Markman v. Westview Instruments, Inc.*, 517 U.S. 370, 390 (1996)). Indeed, the specification or other evidence "may require that two terms in a claim refer to different structures." *Id.*, citing *Philips v. AWH Corp.*, 415 F.3d 1303, 1312-19 (Fed. Cir. 2005). Claim 51 including base claim 50 uses both terms "block of text" and "identifier." Accordingly, these two different terms must have different meanings in the same claim.
4. Regarding claims 68-69, the last office action has not explained how Weinberg discloses a client application "configured for generating a map page from the map information provided by the host."

Serial No. 09/549,505  
March 11, 2008  
Page 3

5. Regarding claims 72-73, the office action does not address the contention in applicant's last response that Weinberg teaches against "automatically selecting the plurality of target pages for generating map information using predetermined criteria applied to query results returned by an Internet search engine."
6. Regarding claims 54, 57, 63 and 66, applicants wish to discuss possible amendments to the claim feature "serving the map page in response to selection of an associated identifier."

Respectfully submitted,

Jonathan Jaech  
Attorney for Applicant  
Registration No. 41,091